THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27782 of 2005

Dated:29.06.2006

Between
1.Boni Ramunaidu and others.

…..Petitioners

and

1.The Commissioner of Sugar and Cane,
Commissionerate, Secretariat, AP
Hyderabad and others.

….Respondents

W.P.No.27783 of 2005

Between
1.Gorle Sanyasaiah and others.

..Petitioners.

and

1.The Commissioner of Sugar and Cane,
Commissionerate, Secretariat, AP
Hyderabad and others.

…Respondents.

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27782 of 2005 & W.P.No.27783 of 2005

COMMON ORDER:

The writ petition is filed seeking a Mandamus to declare the action of the respondents in interfering with their sugar cane crushing operations in their respective patta lands pending disposal of their representations as illegal and arbitrary and consequently to direct the respondents to consider their representations.

It is the case of the petitioners that they are all agriculturists and used to supply sugar cane by entering into an agreement in advance for every crushing year and such agreement holders are being given the credit facility for purchase of fertilizers etc., After harvesting the sugarcane the agreement holders must supply only to the factory and they cannot sell the sugarcane to any other parties. According to the agreement, the 3rd respondent will take certain quantity of sugarcane but not the entire yielded. Some of them used to supply only when they have excess sugarcane. The said factory was closed in the year 2003. The next factory in their district is Nizam Sugars Private Limited, Lachaiahpeta, which is 80 KMs away from their village and the same was sold away to some private parties. As it is 80 KMs away, it is not feasible for them to go all the way to supply the sugar cane. Therefore, they started selling the sugar cane to neighbouring districts. Even that is also not working out. It

became difficult for them to dispose of the sugar cane. Therefore, they set up crushers in their respective lands for preparing jaggery by obtaining private loans and applied for the licence. The said applications were not considered. Under those circumstances, the present writ petition has been preferred.

Now, a detailed counter affidavit has been filed. It is stated that as per the orders of this Court, licences were issued to some of the writ petitioners, who have not entered into agreement with the sugar factory.

In view of the assertion made by the respondents, the writ petition is disposed of accordingly directing the respondents to grant licence to those who have not entered into any agreement with the sugar factory. However, this will not preclude the respondents from considering the applications of other petitioners as per law after hearing all the concerned in this regard.

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29.06.2006

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